



Fact Sheet

Frequently Asked Questions: Clarification on Cannabis Education and Compliance Efforts in North Coast

The State Water Resources Control Board (State Water Board) acknowledges that recent public notification letters sent to specific priority watersheds in Humboldt County may have triggered confusion, frustration, even anger in some circles. That was not our intent. We have listened to your feedback and continue to adjust our approach to messaging, outreach and regulation on this issue. Our main goal – to be as clear as possible – is to continue to get cannabis cultivators in compliance by enrolling in the water right and water quality permitting process.

Everyone growing cannabis needs to obtain regulatory coverage from the Water Board; It's part of setting a level playing field for all cultivators so illicit grows do not receive unfair financial or regulatory advantages over those trying to comply with the state's new cannabis cultivation requirements.

On the surface, it may be a simple goal. In addition, some well-meaning folks are put off by the seemingly daunting process. We get it. That's why our efforts right now are focusing on customer service – answering questions, clearing up confusion, getting as many cultivators as possible running a legal, viable operation.

Toward that end, we encourage attendance to our latest workshop scheduled for Tuesday, Oct. 16, from 10 a.m. to 3 p.m. at the [Mateel Community Center](#), where we will have staff on hand to answer questions, clear up any misunderstandings and help guide folks to the finish line. There will be computers on site to make the process as seamless as possible. More workshops are planned for the near future.

In anticipation to this workshop, we became aware of some misinformation regarding the State Water Board's cannabis program, the role we have in safe-guarding the environment and the reason we are reaching out to cultivators and suspected cultivators.

In the spirit of clarity and transparency, we have compiled a short Frequently Asked Questions, or FAQ. We will be posting it on our website for the public to read. We hope it leads to more understanding about our role and our intentions and we plan to follow up on all questions.

Why has the State Water Board's issued letters?

Everyone who's growing cannabis needs to obtain regulatory coverage from the Water Board. The State Water Board, in coordination with the North Coast Regional Water Quality Control Board, California Department of Food and Agriculture, and Humboldt County Planning and



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Building Department (Humboldt County), has issued letters to the Redwood Creek and Salmon Creek priority watersheds in southern Humboldt County. They were mailed to educate each watershed on the state and local cannabis regulatory requirements and obtain compliance from existing and prospective cultivators. [Priority watersheds](#) are environmentally sensitive watersheds that support critical habitat for threatened and endangered species, and areas of high resource value, which may be affected by unsustainable cannabis cultivation.

State Water Board staff identified critical resource protection needs in Redwood and Salmon Creek watersheds based on stream habitat and the density of suspected cannabis cultivation sites. However, despite an estimated 300+ cannabis grow sites in the two watersheds, only 65 had received regulatory coverage from the Water Board. This creates an unfair advantage over growers in the county and nearby watersheds who have obtained regulatory coverage.

What does the State Water Board and coordinating agencies hope to achieve by sending letters?

The State Water Board and coordinating agencies are sending these letters to priority watersheds to obtain increased compliance with each respective agency's cannabis programs. It's also important to protect public trust resources from environmental impacts caused by cultivation practices that are not sustainable. Beyond that, we want to create a level playing field for those cultivators operating legally in the California cannabis market by identifying and enforcing against non-complaint cultivators.

Who are these notice letters being sent to?

We sent two types of letters to the Redwood Creek and Salmon Creek watersheds. The first was an informational letter mailed to almost all property owners in both watersheds. The intent was to inform the general public – as well as cultivators – of the regulatory programs with which cannabis cultivators are required by law to comply.

The second, more focused letter was mailed to likely cannabis cultivators in both watersheds. The second letter provides legal notice to those believed to be cultivating cannabis that they are required by law to comply with each agency's regulatory requirements. These letters also identified potential liabilities for failing to obtain the required regulatory coverage.

What will happen to those who do not comply with your cannabis programs?

The primary goal of the letters is to bring more cultivators into compliance with each agency's cannabis regulatory programs. The second letter -- titled Notice of Violation -- issued to likely cannabis cultivators, informs the property owner or cultivator of the allegation that they are cultivating and requires them to comply by enrolling their cannabis operation with each agency by October 21, 2018 (Redwood Creek 2nd letter) or by November 5, 2018 (Salmon Creek 2nd letter). We acknowledge there may be some Notice of Violations issued in error or extenuating circumstances that may prevent someone from complying with each agency by the date cited in the Notice of Violation. Please contact the State Water Board to discuss any errors or difficulties with complying. The State Water Board will consider your good faith effort to seek

compliance or consultation when considering whether or not formal administrative enforcement action, which can include civil liabilities, should be considered.

What should I do if I received the second notice letter in error intended for cannabis cultivators or if I do not plan to cultivate in the future?

The State Water Board and participating agencies acknowledge that some of the Notice of Violations may have been issued in error and may include those who are cultivating crops other than cannabis. The agencies also acknowledge that some property owners or cultivators may have decided to not cultivate in 2019. We apologize if you were contacted in error; we encourage you to still contact the State Water Board. We will issue a letter confirming your information and acknowledging that your property is not required to comply with the State Water Board's cannabis programs.

If you have decided to no longer cultivate cannabis the following year, you must still contact the State Water Board and other participating agencies. Please contact the other participating agencies regarding requirements or information needed to support your claim.

If you have questions about this letter, or you feel it was sent to you in error, please email us at cannabisreg@waterboards.ca.gov or leave us a voicemail at (916) 319-9427. We will contact you as soon as possible.

Below are websites and contact information to the State Water Board and participating agencies' cannabis permitting programs:

- Online application using the State Water Boards Cannabis Cultivation Program Application Portal (Portal) at: <https://public2.waterboards.ca.gov/cgo>.
- Questions regarding the SIUR or applications to appropriate water can be directed to: (916) 319-9427 or cannabisreg@waterboards.ca.gov.
- Questions regarding the Statewide General Order can be directed to: (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov
- Humboldt County Cannabis Permit application at: <https://humboldt.gov.org/DocumentCenter/View/340/Application-Form-PDF>
- Questions regarding Humboldt County's Cannabis Permit can be directed to: (707) 445-7541 or cannabis@co.humboldt.ca.us
- California Department of Food and Agriculture application at: <https://aca6.accela.com/calcannabis/Welcome.aspx/>
- Questions regarding state licenses can be directed to:
- 1-833-CALGROW or CalCannabis@cdfa.ca.gov.

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